Case 1:22-cv-00663-BAM Document 21 Filed 04/21/23 Page 1 of 3

1 2 3 4 5 6 7 8	PHILLIP A. TALBERT United States Attorney MATHEW W. PILE Associate General Counsel Office of Program Litigation, Office 7 CASPAR CHAN (CSBN 294804) Special Assistant United States Attorney Social Security Administration 6401 Security Boulevard Baltimore, MD 21235 Telephone: 510-970-4810 Facsimile: 415-744-0134 Email: Caspar.Chan@ssa.gov	
9	Attorneys for Defendant UNITED STATES	DISTRICT COURT
10	EASTERN DISTRICT OF CALIFORNIA	
11	FRESNO DIVISION	
12		
13	DAVID TRIMM,) Civil No. 1:22-cv-00663-BAM
14	Plaintiff,	STIPULATION FOR VOLUNTARY
15	V.	REMAND AND [PROPOSED] ORDER
16 17	KILOLO KIJAKAZI, Acting Commissioner of Social Security,)))
18	Defendant.)
19))
20		
21		
22		
23		
24		
25		
26		
27		
28		
	.Î	

Case 1:22-cv-00663-BAM Document 21 Filed 04/21/23 Page 2 of 3

IT IS HEREBY STIPULATED, by and between the parties, through their undersigned attorneys, and with the approval of the Court, that the Commissioner of Social Security has agreed to a voluntary remand of this case pursuant to sentence four of 42 U.S.C. § 405(g). The purpose of the remand is to offer Plaintiff a new decision.

On remand, the Commissioner will offer Plaintiff the opportunity for a hearing, further develop the record as necessary, and issue a new decision. The parties further request that the Clerk of the Court be directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

Date: *April 21, 2023*

PEÑA & BROMBERG, PLC

Bv: /s/ Caspar Chan for Jonathan Pena*

JONATHAN PENA

*Authorized by email on April 21, 2023

Attorneys for Plaintiff

Date: April 21, 2023

PHILIP A. TALBERT United States Attorney

Eastern District of California

/s/ Caspar Chan By:

CASPAR CHAN

Special Assistant United States Attorney

Attorneys for Defendant

28

ORDER Based upon the Stipulation for Voluntary Remand ("Stipulation"), and for cause shown, IT IS HEREBY ORDERED as follows: 1. Plaintiff's motion for summary judgment (Doc. 16) is terminated as moot. 2. The matter is remanded for further administrative proceedings under sentence four of 42 U.S.C. § 405(g) consistent with the terms of the Stipulation. 3. The Clerk of the Court is directed to enter a final judgment in favor of Plaintiff and against Defendant Kilolo Kijakazi, the Acting Commissioner of Social Security. IT IS SO ORDERED. 1s/Barbara A. McAuliffe Dated: **April 21, 2023**